



Call for Papers:

International Law and Domestic Law- Making Processes

University of Basel, Law Faculty, 4 September 2015

The reality of international law 'in action' largely depends on domestic legislators implementing and shaping norms originating at the international level: Domestic parliaments and other law-making bodies undoubtedly play a central role in determining whether or not the promises of international law can be fulfilled.

The importance of domestic parliaments in making international law 'work' is clearly due to the decentralized nature of the international legal order. In most cases, international legal norms leave considerable discretion to the state and make only minimal requirements regarding implementation. In some fields, however, international norms start to become more statute-like, decreasing the margin for the states how to implement them. Some international norms explicitly oblige states to take legislative measures. Yet, it is very unusual that international law can rely on mechanisms that would ensure the uniform implementation of international norms within national jurisdictions. Given the complex interaction between the domestic and the international level in the field of law-making, it is warranted to consider how the interactions between the international and the domestic levels complement, contest or mutually influence each other. Recent research, e.g. that on international law in domestic courts, confirms this need.

We start from the premise that the complexities of interaction and mutual influencing between domestic parliaments and the international legal order is increasing, rather than decreasing. Therefore, the upcoming event of the Working Group of Young Scholars in Public International Law (Arbeitskreis junger Völkerrechtswissenschaftler*innen, AjV) wants to shed light on selected problems connected with the interaction of domestic law-making and international law.

Topics to explore include (but are not limited to):

1. When do domestic legislators legislate because of international norms – soft or hard?
2. International law, domestic law-making processes and direct democratic institutions
3. International law and sub-entities of federal states (e.g. international law in the law-making of cantons / Länder)
4. Designing democracy: The ECHR and the organizational law of national parliaments and voting rules
5. National parliaments as opposition in international law



AjV - Arbeitskreis junger Völkerrechtswissenschaftler*innen

6. National parliaments as providers of legitimacy to international law
7. Duties to protect (Schutzpflichten) and national law-making
8. State responsibility and the legislative: e.g. the legislative branch in the preparatory works of the ILA Articles on State Responsibility or in international case-law such as before the ICJ or the ECtHR
9. Domestic parliaments and the formation of customary international law
10. The involvement and information of members of domestic legislatures prior to ratifications of international treaties
11. International law and national law-making processes in transitional states / post-conflict societies
12. Transnational legislative networks
13. Methodological approaches on international law and domestic law-making

The conference/workshop will take place on 4 September 2015 at the University of Basel and is intended for young researchers (including PhD students and Post Docs). Apart from those working in international law, other legal researchers are explicitly invited to apply. In addition, those working in related disciplines (such as sociology, political science, history, etc.) are also welcome to apply.

Presentations can be held in English and German, although English is considered more conducive for international exchange. Participants are not required to submit papers and may present work in progress. However, those who do submit final papers shortly after the workshop will be considered for publication in a special issue of a Swiss online law journal (Jusletter). Such papers can range from short notes to full articles (1'500 to 10'000 words).

We invite you to send an abstract of max. 500 words by the **27th March 2015**. Please address submissions and any queries to evelyne.schmid@unibas.ch and tilmann.altwicker@unibas.ch. When submitting an abstract, please also include the following information about yourself: your name, your affiliation, your function/job title and your address. Researchers who have completed a PhD should please indicate the month and year of completion. We will notify applicants by mid-May.

Travel expenses will be covered to at least a certain extent and child care will be available. Details will be communicated in the mail of acceptance.

Organizers: Dr. Evelyne Schmid / Dr. Tilmann Altwicker (both University of Basel)

P.S. Please note that there will also be an **informal AjV-workshop in Hamburg from 25-27th September 2015** – organized by Anne Dienelt und Katrin Kohoutek. Interested doctoral students and post docs are welcome to submit abstracts to the open call until 31st May to workshop_ajv@gmx.de. More information will soon be available from <http://voelkerrechtsblog.com/service/ajv-veranstaltungen/>.